

**+MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 23, 2006

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, Acting P.J., Vogel (Miriam A.), J., Rothschild, J., and P. Gonzalez,
Deputy Clerk.

B182806 Aliado et al. v. The Roman Catholic Archbishop

Continued to September 20, 2006.

B182226 In Re Marriage of Tesoriero

Continued to October 25, 2006.

Each of the following:

B181186 Kim v. Shin

B191025 Bush v. SCLA, Twin Auto Sales (*dismissed*)

Matter ordered off calendar.

B175215 Vernel Shaw

v.

Universal Studios, Inc.

Merits:

Argued by Douglas G. Benedon for appellant and by Tracey A. Kennedy
for respondent. Cause submitted.

DIVISION ONE (Continued)

B186410 Teresa Ramirez et al.
 v.
 County of Los Angeles et al.

Merits:
Argued by Manuel Hidalgo for appellants and by Daniel P. Barer for
respondents. Cause submitted.

B185370 Daniel Lynn Frasier, Jr., a minor
 v.
 Bruce A. Hanson

Merits:
Argued by Wendy C. Lascher for appellant and by Kenneth R. Pedroza for
respondent. Cause submitted.

B186992 Michael Walker
 v.
 Workers Compensation Appeals Board
 (Housing Authority City of Los Angeles, r.p.i.)

Merits:
Argued by Tom Takenouchi for petitioner and by Jeffrey D. Bilas for
respondent. Cause submitted.

B183947 Glenn Bugden
 v.
 Jon Siems, M.D.

Merits:
Argued by W. Ruel Walker for appellant and by Robert C. Reback for
respondent. Cause submitted.

DIVISION ONE (Continued)

B183969 John A. Girardi
 v.
 Google Technology, Inc.

Merits:
Argued by John A. Girardi for appellants and by Timothy L. Alger for
appellant. Cause submitted.

B185992 The Foundation for Taxpayer & Consumer Rights
 v.
 Nextel Communications, Inc., et al.

Merits:
Argued by Jordan Lurie for appellant and by Dominic Surrenant for
respondents. Cause submitted.

Jackson, J. (Assigned), assumes the bench.

Mallano, Acting P.J., introduces Hon. Frank Y. Jackson, from the Los Angeles Superior
Court. Judge Jackson will be serving as Pro-Tem Judge in Division One for the next
three months.

Vogel, J., leaves the bench.

B185256 Elisa C. Dembrowski
 v.
 City of West Hollywood,
 Venice Investments et al.

Merits:
Argued by Clare Bronowski for appellant and by John C. Cotti for
respondent and by William W. Steckbauer for real party in interest. Cause
submitted.

Jackson, J. (assigned) leaves the bench.

Vogel, J., returns to the bench.

DIVISION ONE (Continued)

B184530 Joshua Halblieb
 v.
 J. Gordon McComb et al.

Merits:
Argued by Ray B. Bowen, Jr. for appellant and by Raymond L. Blessey for
respondents. Cause submitted.

Court adjourned.

DIVISION TWO

B179607 Alan Klarik Enterprises, Inc. (Not for Publication)
 v.
 Viva Optique, Inc.

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

B184007 Sarkissian (Not for Publication)
 v.
 City of Calabasas, et al.

The judgment is affirmed. Respondents' request for sanctions is denied.
Appellant is to bear all costs on appeal.

Boren, P.J.

We concur: Ashmann-Gerst, J.
 Chavez, J.

August 23, 2006 (Continued)

DIVISION TWO (Continued)

B184118 People (Not for Publication)
v.
Richardson

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B187536 People (Not for Publication)
v.
Smith

The order under review is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

B182163 Hixson (Not for Publication)
v.
Wolfe

The order denying Wolfe's petition to compel arbitration is affirmed. Hixson shall recover here costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

August 23, 2006 (Continued)

DIVISION TWO (Continued)

B186038 Chin, et al. (Not for Publication)
v.
Dok, et al.

The order of the trial court is affirmed. Respondents are entitled to costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
Doi Todd, J.

B182527 People (Not for Publication)
v.
Cantu, Jr.

The appeal is dismissed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

B184843 People (Not for Publication)
v.
Kim

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
Chavez, J.

August 23, 2006 (Continued)

DIVISION TWO (Continued)

B184579 People (Not for Publication)
v.
Negrete

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION FOUR

B179207 Initiative Partners (Not for Publication)
v.
California Department of Health Services

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

[illegible]

The order denying Hobby's motion to strike is affirmed. The order awarding costs to Gaylor is reversed with directions to the trial court to enter a new order awarding Gaylor a total of \$781.34 in costs. Hobby's request for sanctions is denied. Each side is to bear its own costs.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

August 23, 2006 (Continued)

DIVISION FOUR (Continued)

B181122 People (Not for Publication)
v.
Hammontree

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.
Willhite, J.

B187572 Los Angeles County, D.C.S. (Not for Publication)
v.
Paul G.

The September 22, 2005, order terminating appellant's parental rights and the November 18, 2005, order after rehearing are affirmed.

Manella, J.

We concur: Epstein, P.J.
Hastings, J. (Assigned)

B187225 Los Angeles County, D.C.S. (Not for Publication)
v.
Tyrone N.

The orders are affirmed.

Manella, J.

We concur: Epstein, P.J.
Suzukawa, J.

DIVISION FIVE

B186108 People (Not for Publication)
v.
Francisco Calderon

The judgment is affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

DIVISION SIX

B188505 People (Not for Publication)
v.
Ballesteros

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B186869 People (Not for Publication)
v.
Zupin

The sentence on count 2 is vacated and is ordered stayed pursuant to section 654. The matter is remanded to the trial court to 1) amend the abstract of judgment to reflect that the sentences on counts 1 and 2 are stayed, and 2) to correct the abstract so that it is otherwise consistent with the judgment and forward the modified abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

August 23, 2006 (Continued)

DIVISION SIX (Continued)

[illegible]

The judgment (order of commitment) is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B180884 People (Not for Publication)
v.
Overson

The sentences are vacated and we remand the matter to the trial court for resentencing. In all other respects the judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B187719 Ventura Co. Human Services Agency (Not for Publication)
v.
Irma S.
In re E.M., et al.

The judgment (order terminating parental rights) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SIX (Continued)

**B186735 Malik
v.
Malik**

Filed order denying petition for rehearing.

DIVISION SEVEN

B185737 People (Not for Publication)
v.
Wier

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.
Zelon, J.

B172642 Pagarian (Not for Publication)
v.
Greater Valley Medical Group

The judgment of the superior court is affirmed with respect to the claims alleged against GVMSO, GVMed, GVPPPhys, and Buttelman. The judgment is reversed with respect to LibbyCare-Longwood as set forth in this opinion, and on remand plaintiffs are to be permitted to amend the complaint in accordance with the views in this opinion. The parties are to bear their costs on appeal.

Zelon, J.

I concur: Perluss, P.J.
I concur and dissent: Johnson, J. (Opinion)

August 23, 2006 (Continued)

DIVISION EIGHT

B175315 People
 v.
 Escalera

Filed order denying petition for rehearing.